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| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/587,032 | Stephen F. Hardy | 002441.00208/PP019482.007 |
| 27476 | INTERNATIONAL APPLICATION NO. | |
| NOVARTIS VACCINES AND DIAGNOSTICS INC. | PCT/US03/18666 | |
| INTELLECTUAL PROPERTY- X100B | I.A. FILING DATE | PRIORITY DATE |
| P.O. BOX 8097 | 06/13/2003 | 06/13/2002 |
| Emeryville, CA 94662-8097 | CONFIRMATION NO. 9250 | |

371 FORMALITIES LETTER



OC000000038654564

Date Mailed: 11/09/2009

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 07/24/2006
- Copy of the International Search Report filed on 07/24/2006
- Copy of IPE Report filed on 07/24/2006
- Preliminary Amendments filed on 07/24/2006
- Information Disclosure Statements filed on 07/24/2006
- Biochemical Sequence Diskette filed on 09/16/2009
- Oath or Declaration filed on 09/16/2009
- Biochemical Sequence Listing filed on 07/24/2006
- Request for Immediate Examination filed on 07/24/2006
- U.S. Basic National Fees filed on 07/24/2006
- Priority Documents filed on 07/24/2006

Applicant's response filed 09/16/2009 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 04/16/2009 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - THE OATH SUBMITTED ON SEP 16, 2009 IS DEFECTIVE BECAUSE THE PAGE NUMBERING IS NOT CONSECUTIVE (ie 1/3, 2/3, 3/3). PLEASE SUBMIT A NEWLY EXECUTED DECLARATION.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

NINA D BUTLER

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